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DRAFTED BY L/ARA: MAOZAK/SD
APPROVED BY ARA: JPUCKNELL
L:MR. FEDLMAN (DRAFT)
CA:AAGISE(DRAFT)
L/CA:MR. DALTON(PHONE)
S/S-O:TGMARTIN

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TO AMEMBASSY GEORGETOWN NIACT IMMEDIATE
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E.O. 11652: N/A
TAGS: CASC, CDIS
SUBJECT: PROPERTY OF DECEASED AMCITS
REF: A) STATE 296952 B) DALTON/DIKEOS TELCON 11/22/78
1. REF A AUTHORIZED YOU TO RETAIN LOCAL LEGAL COUNSEL FOR PURPOSE OF OBTAINING PRELIMINARY ADVICE AS TO POTENTIAL ISSUES CONCERNING PROPERTY OF DECEASED AMCITS ASSOCIATED WITH PEOPLES TEMPLE. THIS MESSAGE SETS FORTH MORE DETAILED GUIDANCE IN THIS CONNECTION.
2. AS YOU KNOW, DEPT HAS STATUTORY OBLIGATION TO MAKE ALL EFFORTS TO OBTAIN CUSTODY OF PERSONAL ESTATES OF AMCITS WHO DIE OVERSEAS. WE DO NOT HAVE SUCH RESPONSIBILITY WITH RESPECT TO PROPERTY OF ORGANIZATION SUCH AS PEOPLES TEMPLE.
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WE ASSUME THAT ULTIMATE ISSUE ON WHICH YOU REQUIRE ADVICE IS QUESTION OF DETERMINING STATUS UNDER LOCAL LAW OF VARIOUS ITEMS OF PROPERTY FOUND IN GUYANA I.T. WHICH IS PROPERTY OF INDIVUAL AMCITS AND WHICH IS PROPERTY OF ORGANIZATION. FROM THIS STANDPOINT, RETENTION OF LOCAL COUNSEL WOULD APPEAR USEFUL ALTEOUGH U.S. LAW WILL ALSO UNDOUBTEDLY BE RELEVANT TO QUESTION OF STATUS OF PROPERTY, AND WE WILL WISE TO MAINTAIN CLOSE COORDINATION BETWEEN YOUR EFFORTS AND OUR OWN IN THIS REGARD. PLEASE ADVISE US SOONEST RE NATURE ISSUES UNDER LOCAL LAW WHICH SEEM RELEVANT TO QUESTION OF STATUS OF PROPERTY (E.G. WHAT IS STATUS OF PT IN GUYANA, A U.S. OR GUYANA CORPORATION?), AS WELL AS ANY OTHER AREAS IN WHICH YOU BELIEVE LOCAL COUNSEL COULD BE USEFUL.
3. PER REF B, WE UNDERSTAND THAT AMOUNT OF PROPERTY AT JONESTOWN AS REPORTED BY MEDIA MAY BE GROSSLY EXAGGERATED. ONE IMMEDIATE CONCERN SHOULD BE TO ASSURE THAT US CONSULAR OFFICERS PREPARE A FULL ACCOUNTING OF ALL MOVEABLE PROPERTY FOUND IN THE AREA TO AVOID ANY POTENTIAL CLAIMS

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY DATE
RDS☐ OR XDS☐ EXT. DATE
TS AUTH. REASON(S)
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RELATIVES, ETC. THAT PROPERTY WAS DIVERTED BY GOG OR INDIVIDUALS.
4. YOU SHOULD ALSO PROMPTLY ADVISE GOG OF DEPT'S STATUTORY RESPONSIBILITY TO TAKE CUSTODY OF ALL SUBSTANTIAL ASSETS OF DECEASED AMERICANS, AND REQUEST THAT THEY TURN OVER TO YOU IMMEDIATELY ALL PROPERTY IDENTIFIABLE AS SUCH (OBVIOUSLY ITEMS WHICH GOG MAY ACQUIRE AS EVIDENCE IN LEGAL PROCEEDINGS AGAINST PEOPLES TEMPLE MEMBERS SHOULD BE LEFT IN GOG CUSTODY PENDING COMPLETION OF PROCEEDINGS). THIS SHOULD ASSIST IN DETERMINING EXTENT OF LOCAL LEGAL ISSUES INVOLVED : (IF GOG PREPARED TO TURN OVER BULK OF PROPERTY FOUND
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PROBLEM WOULD BECOME ONE OF DETERMINING DISTRIBUTION UNDER US LAW. IF GOG SHOULD ASSERT CUSTODY ON GROUNDS THAT PROPERTY IS NOT THAT OF INDIVIDUALS, GUYANA LAW AS WELL AS US WILL BECOME RELEVANT).
5. WITH RESPECT TO RETAINING LEGAL COUNSEL, YOU SHOULD BE AWARE THAT ATTORNEYS'S COMMONLY BILL FOR ADVICE ON ESTIMATE MATTERS ON BASIS OF A PERCENTAGE OF THE ESTATE VALUE. WE WOULD NOT WISH ANY MISUNDERSTANDING TO DEVELOP IN THIS RESPECT, AND YOU SHOULD THEREFORE ADVISE LOCAL COUNSEL THAT HE WOULD BE RETAINED ON FIXED FEE BASIS. WE WOULD BE PREPARED INITIALLY TO SEEK UP TO DOLS 1000 FOR THIS PURPOSE, AND WOULD CONSIDER SEEKING ADDITIONAL FUNDING IF MORE EXTENSIVE SERVICES SUBSEQUENTLY APPEAR TO BE REQUIRED. CHRISTOPHER
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